

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 27-29, 34-39, 43-45 and 51 are rejected under 35 U.S.C. 102(b) as being anticipated by **EP 1596242**.

The '242 reference discloses a hose for conveying media, wherein the hose comprises a hose wall enclosing an interior delimited by an inner surface, wherein the hose wall is constructed from a flexible, electrically poor conductive or non-conductive base material, at least one electric line element (2) element extending in the longitudinal direction of the hose and being integrated into the hose wall to dissipate electric charges, wherein at least one region of a cross section of the hose wall adjoining the interior of the hose has an electrical conductivity greater than the base material, wherein the electric line is directly connected to the region of increased electrical conductivity, as recited in claim 27. The region having increased conductivity extends over the entire hose wall and includes electrically highly conductive particles embedded in the base material. It is disclosed that powdery products, in particular, carbon black, as recited in claim 28.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 32, 33, 41, 42 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over **EP '242** in view of U.S. 5,655,572 to **Marena**.

The **'242** reference discloses the recited structure but does not disclose the electric line element as being formed as a line region disposed in the hose wall. The patent to **Marena** discloses a hose assembly having an inner wall (12) and including an electric line element (24) formed as a line region that is formed into the wall and has an electrical conductivity greater than the hose portion. It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute for the electrical wire of the **EP '242** reference with an electric line element, as suggested by **Marena**, wherein it is known in the art that both the line element and wire lines are equivalent in preventing accumulation of electrostatic charge within the hose.

Allowable Subject Matter

3. Claims 30, 31, 40, 46 and 48-50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The recited references are pertinent to Applicant's invention in disclosing fluid lines with non-conductive base hoses and conductive lines, strips or wires that run the length of the base hose.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Patrick F. Brinson** whose telephone number is (571) 272-4897. The examiner can normally be reached on M-F 7:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Kevin P. Shaver** can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick F. Brinson/
Primary Examiner, Art Unit 3754

P. F. Brinson
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